

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 11-0337 MMC

Plaintiff,

**ORDER DENYING MOTION FOR
SENTENCE REDUCTION**

v.

WILLIAM MONTE DAVIS,

Defendant.

Before the Court is defendant William Monte Davis's ("Davis") pro se "Motion for Modification of Imposed Term of Imprisonment," filed December 22, 2014, pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 782 to § 1B1.10 of the United States Sentencing Guidelines. On February 2, 2015, the Office of the Federal Public Defender, which previously represented Davis, filed a "Notice of Nonintervention," stating the Public Defender has nothing further to add to defendant's motion and is not seeking to intervene in the matter. On February 10, 2015, the United States Probation Office filed a "Sentence Reduction Investigation Report," recommending no reduction in Davis's sentence, for the reason that Davis was sentenced to a term that is less than the minimum of the amended guideline range.

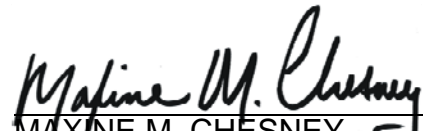
Having read and considered the motion and materials filed in response to the motion, the Court finds, for the reasons stated by the Probation Office, that Davis is not

1 entitled to a reduction in his sentence. See U.S.S.G. § 1B1.10(b)(2)(A) (providing, with
2 exception of cases in which defendant's initial sentence was reduced based on his/her
3 substantial assistance to authorities, sentence may not be reduced under § 1B1.10 "to a
4 term that is less than the minimum of the amended guideline range").

5 Accordingly, defendant's motion is hereby DENIED.

6 **IT IS SO ORDERED.**

7 Dated: February 13, 2015

8 
MAXINE M. CHESNEY
9 United States District Judge